IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 29TH JUNE 2007 / 8TH ASHADHA 1929

WP(C).No. 27340 of 2004(D)

PETITIONER:

M/S.STEEL INDUSTRIALS KERALA LTD.,
FOUNDRY UNIT, PALAPPURAM P.O.,
OTTAPPALAM, PALAKKAD-679 103, REPRESENTED
BY ITS MANAGING DIRECTOR.

BY ADV. SRI.K.ANAND (A.201)
SMT.LATHA KRISHNAN

RESPONDENTS:
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1. THE ASST.PROVIDENT FUND COMMISSIONER,
EMPLOYEES PROVIDENT FUND ORGANIZATION,
REGIONAL OFFICE, `BHAVISHYA NIDHI BHAVAN',
P.B.NO. 1806, ERANHIPALAM P.O.,
KOZHIKODE-673 006.

2. THE RECOVERY OFFICER,
DO. DO.

3. STATE OF KERALA, REPRESENTED BY
SECRETARY, DEPARTMENT OF INDUSTRIES,
SECRETARIAT, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SRI. K.V.MANOJ KUMAR
ADV. SRI.THOMAS MATHEW NELLIMOOTTIL,SC, P.F.(R1 &R2)

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 27340/2004 D

APPENDIX

PETITIONER'S EXHIBITS

EXT.P2. COPY OF THE ORDER OF ATTACHMENT OF IMMOVABLE PROPERTY DT. 7/09/01 BY THE R2.

EXT.P2. COPY OF THE ATTACHMENT MAHAZAR DT. 9/1/2002.

EXT.P3. COPY OF THE LETTER DT. 18/12/2002 OF THE PETITIONER TO THE R1.

EXT.P4. COPY OF THE NOTICE DT. 17/6/2002 BY THE R2.

EXT.P5. COPY OF THE ORDER DT. 7/5/04 OF THE R1 TO THE R2.

EXT.P6. COPY OF THE ORDER DT. 1/09/2004 BY THE PRINCIPAL SECRETARY TO THE GOVT.

EXT.P7. COPY OF THE LETTER DT. 20/3/2004 OF THE PETITIONER TO THE R1.

EXT.P8. COPY OF THE NOTICE FOR SETTLING A SALE PROCLAMATION DT. 3/08/04 BY THE R2.

True copy

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KURIAN JOSEPH , J

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W.P.(C) NO. 27340 OF 2004

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Dated this the 29th day of June, 2007.

JUDGMENT

The petitioner approached this Court with certain grievances regarding recovery proposed by the 1st respondent. According to the petitioner, since steps are to be taken for reconstructing the establishment as per Ext.P6 order the present steps would be detrimental to the interest of the employees as well. There will be a direction to respondents 1 to 2 to make a fresh assessment of the situation with notice to the petitioner before proceeding with further coercive steps.

The writ petition is disposed of accordingly.

KURIAN JOSEPH, JUDGE.

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